

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ALFONSO VASQUEZ-AYALA,

Petitioner(s),

v.

UNITED STATES of AMERICA,

Defendant(s).

NO. C05-209P

MINUTE ORDER

The following minute order is made by the direction of the court, the Honorable Marsha J. Pechman:

On December 7, 2005, Magistrate Judge Benton filed a Report and Recommendation in this case (Dkt. No. 9). A deadline of December 28, 2005 was set for objections to the R&R. That deadline passed with no objections having been filed, and on Jan. 4, 2006, this Court entered an order adopting the R&R (Dkt. No. 10) and a judgment dismissing Petitioner's action (Dkt. No. 11).

On January 5, 2006, Petitioner's Objections to Magistrate's Report and Recommendation were received and filed (Dkt. No. 12) and a noting date of January 20, 2006 assigned. The Court finds Petitioner's filing timely in view of his custody status and hereby VACATES the prior dismissal. Petitioner's objections will be considered; any response to those objections must be filed no later than January 19, 2006.

Filed this 9<sup>th</sup> day of January, 2005.

BRUCE RIFKIN, Clerk

By /s Mary Duett  
Deputy Clerk

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